



UNITED STATES GENERAL ACCOUNTING OFFICE  
WASHINGTON, D.C. 20548

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OFFICE OF GENERAL COUNSEL

In Reply  
Refer to: B-203584(BRP)

June 25, 1981

The Honorable Thomas S. Martin  
Acting Assistant Attorney General  
Civil Division  
U. S. Department of Justice  
Washington, D.C. 20530

Attention: David Epstein, Director  
Commercial Litigation Branch

Dear Mr. Martin:

Subject: Kenneth A. Giles v. United States  
Ct. Cl. No. A31-81  
Reference: TSM:DE:JC:dcb 154-A31-81

Your letter of June 4, 1981, requests our report on the enclosed petition filed May 15, 1981, in the above-cited case wherein the plaintiff seeks judicial review of the Order issued by the Merit Systems Protection Board (MSPB) on April 24, 1981, which denied his petition for review of the initial decision of the MSPB issued on October 23, 1980. The plaintiff contends that his resignation was coerced and involuntary and therefore wrongful. He does not feel that the findings of the MSPB are compatible with the petition submitted to it or with the provisions of 5 C.F.R. § 1201.115.

There is no record of any claim having been filed in the General Accounting Office based upon the allegations set forth in the petition, and consequently, we have no additional information as to the facts involved.

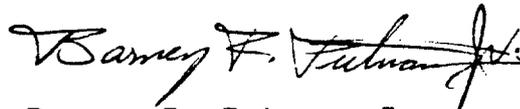
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B-203584

We have no record of a claim or other demand which might furnish the basis of a setoff or counterclaim against the plaintiff.

The undersigned is handling this case in our Office. Should you have any questions or need further assistance, feel free to contact me at 275-6410.

Sincerely yours,

A handwritten signature in cursive script that reads "Barney R. Putnam, Jr." with a stylized flourish at the end.

Barney R. Putnam, Jr.  
Senior Attorney